



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2578

DATE SCANNED

5/15/13

SCANNER NO.

2

SCAN OPERATOR

EES

13092683461



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2012 NOV 30 PM 3: 20

November 30, 2012

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: *JW* Jodi Winship/Sari Pickerall *JP*  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2012 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2012 October Quarterly Report in accordance with 2 U.S.C. 434(a). The 2012 October Quarterly Report was due on October 15, 2012.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report : no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

13092683462

13092683463

11/30/2012 2:17 PM

Federal Election Commission  
Reason to Believe Circulation Report  
2012 OCTOBER QUARTERLY Not Election Sensitive 10/15/2012 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2573	C00518468	BENNETT FOR SENATE COMMITTEE	BENNETT, RICHARD A	JOSHUA A. TARDY	\$439,695	0	10/31/2012	16	\$6,000	\$135
2574	C00519886	BRUCE PELLER FOR CONGRESS	PELLER, BRUCE G	PAULA ANDREA HENAO	\$106,430	0		Not Filed	\$35,477 (est)	\$990
2575	C00493742	BYRON GEORGIOU FOR SENATE	GEORGIOU, BYRON	MATTHEW DICKSON	\$3,490,251	0		Not Filed	\$581,709 (est)	\$11,000
2576	C00508705	COMMITTEE TO ELECT ERNIE BELTZ JR FOR US CONGRESS	BELTZ, ERNIE ALAN JR	NATHAN CHRISTOPHER	\$151,759	0		Not Filed	\$50,586 (est)	\$2,970
2577	C00504266	CONNECTICUT FOR PETER LUMAJ	LUMAJ, PJERIN (PETER)	ANTON RUKAJ	\$527,867	0		Not Filed	\$131,967 (est)	\$4,950
2578	C00506741	DAN HUGHES FOR SENATE	HUGHES, DANIEL J	MICHELLE D. MOONS	\$657,158	0		Not Filed	\$164,290 (est)	\$6,050
2579	C00509471	DAN LILJENQUIST FOR US SENATE	LILJENQUIST, DAN	MIKE MCCAULEY	\$1,689,395	0	10/22/2012	7	\$65,867	\$907
2580	C00458422	DR NOREN FOR US SENATE	NOREN, SCOTT ANDREW	RICHARD PARKER	\$103,717	0	11/8/2012	24	\$16,078	\$230
2581	C00504845	ELECT CLARK HALL	HALL, CLARK MADISON	P.R. CLATWORTHY	\$826,596	0	10/22/2012	7	\$11,803	\$145
2583	C00255471	HOOSIERS SUPPORTING BUYER FOR CONGRESS	BUYER, CONGRESSMAN STEVE	STEPHANIE MATTIX	\$103,304	0	11/19/2012	Not Filed	\$15,938	\$550
2584	C00507004	JACKSON EATON FOR CONGRESS	EATON, J JACKSON	JILLIAN E. O'MALLEY	\$367,922	0		Not Filed	\$122,641 (est)	\$4,950
2586	C00507590	KATHLEEN HICKS FOR CONGRESS	HICKS, ERIN KATHLEEN	DR. CAMILLE RODRIGUEZ	\$181,748	0		Not Filed	\$45,437 (est)	\$990
2587	C00501965	KELDA FOR CONGRESS	ROY'S, KELDA HELEN	LAURENE BACH	\$842,050	0		Not Filed	\$168,410 (est)	\$6,050
2590	C00503359	MARK OXNER FOR CONGRESS	OXNER, MARK ANTHONY	AMPARO O. OXNER	\$169,903	0		Not Filed	\$42,476 (est)	\$990
2592	C00517102	Q. BYRUM HURST FOR CONGRESS	HURST, Q. BYRUM JR	QUINCY B. HURST, III	\$622,264	0		Not Filed	\$155,566 (est)	\$6,050
2593	C00499046	RICH BECKER FOR CONGRESS	BECKER, RICHARD H	JOHN B. MCBRIDE	\$862,207	0		Not Filed	\$51,853	\$2,970
2594	C00468652	RUDY MOISE FOR CONGRESS	MOISE, RUDOLPH	MIRJAM MOISE	\$864,648	0		Not Filed	\$123,521 (est)	\$4,950

13092683464

11/30/2012 2:17 PM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2595	C00509620	SALOMON TORRES FOR CONGRESS	TORRES, SALOMON	JUAN E. RIVERA, CPA	\$161,597	0	11/1/2012	17	\$4,097	\$110
2597	C00518027	STEVE SALAZAR FOR CONGRESS	SALAZAR, STEVE	ROSARIO RODRIGUEZ	\$221,423	1		Not Filed	\$110,712 (est)	\$6,187
2598	C00497222	SUSAN ADAMS FOR CONGRESS	ADAMS, SUSAN L	TAMARA S. HILL	\$404,348	0		Not Filed	\$67,391 (est)	\$2,970
2600	C00494773	TERRY WHITE FOR INDIANA	WHITE, TERRY A	TERRY A. WHITE	\$310,727	0		Not Filed	\$62,145 (est)	\$2,970
2601	C00509596	TEXANS FOR KY GRIFFIN	GRIFFIN, KY DOUGLAS	RHONDA GRIFFIN	\$140,452	0	11/5/2012	21	\$13,131	\$215
2603	C00497404	WENONA FOR ARIZONA	BALDENEGRO, WENONA RAE RENAI Y	SAL RAI DENEGRO	\$231,159	0	11/1/2012	17	\$28,643	\$540

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation - 2012 )  
October Quarterly Report (Non-Election )  
Sensitive) for the Administrative Fine )  
Program: )

BENNETT FOR SENATE COMMITTEE, ) AF# 2573  
and JOSHUA A TARDY as treasurer; )  
BRUCE PELLER FOR CONGRESS, and ) AF# 2574  
PAULA ANDREA HENAO as treasurer; )  
BYRON GEORGIU FOR SENATE, and ) AF# 2575  
MATTHEW DICKSON as treasurer; )  
COMMITTEE TO ELECT ERNIE BELTZ ) AF# 2576  
JR FOR US CONGRESS, and NATHAN )  
CHRISTOPHER as treasurer; )  
CONNECTICUT FOR PETER LUMAJ, ) AF# 2577  
and ANTON RUKAJ as treasurer; )  
DAN HUGHES FOR SENATE, and ) AF# 2578  
MICHELLE D MOONS as treasurer; )  
DAN LILJENQUIST FOR US SENATE, ) AF# 2579  
and MIKE MCCAULEY as treasurer; )  
DR NOREN FOR US SENATE, and ) AF# 2580  
RICHARD PARKER as treasurer; )  
ELECT CLARK HALL, and ) AF# 2581  
CLATWORTHY, P.R. as treasurer; )

HOOSIERS SUPPORTING BUYER FOR ) AF# 2583  
CONGRESS, and MATTIX, STEPHANIE )  
as treasurer; )  
JACKSON EATON FOR CONGRESS, and ) AF# 2584  
JILLIAN E O'MALLEY as treasurer; )

KATHLEEN HICKS FOR CONGRESS, ) AF# 2586  
and DR CAMILLE RODRIGUEZ as )  
treasurer; )  
KELDA FOR CONGRESS, and ) AF# 2587  
LAURENE BACH as treasurer; )

13092683465

Federal Election Commission  
Certification for Administrative Fines  
December 04, 2012

Page 2

MARK OXNER FOR CONGRESS, and ) AF# 2590  
AMPARO O OXNER as treasurer; )

Q. BYRUM HURST FOR CONGRESS, ) AF# 2592  
and HURST, QUINCY B. III as treasurer; )  
RICH BECKER FOR CONGRESS, and ) AF# 2593  
MCBRIDE, JOHN B as treasurer; )  
RUDY MOISE FOR CONGRESS, and ) AF# 2594  
MOISE, MIRJAM as treasurer; )  
SALOMON TORRES FOR CONGRESS, ) AF# 2595  
and JUAN E RIVERA CPA as treasurer; )

STEVE SALAZAR FOR CONGRESS, and ) AF# 2597  
ROSARIO RODRIGUEZ as treasurer; )  
SUSAN ADAMS FOR CONGRESS, and ) AF# 2598  
TAMARA S HULL as treasurer; )

TERRY WHITE FOR INDIANA, and ) AF# 2600  
TERRY A WHITE as treasurer; )  
TEXANS FOR KY GRIFFIN, and ) AF# 2601  
RHONDA GRIFFIN as treasurer; )

WENONA FOR ARIZONA, and ) AF# 2603  
BALDENEGRO, SAL as treasurer; )

13092683466

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on December 04, 2012 the Commission took the following actions on the Reason To Believe Recommendation - 2012 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated November 30, 2012, on the following committees:

AF#2573 Decided by a vote of 6-0 to: (1) find reason to believe that BENNETT FOR SENATE COMMITTEE, and JOSHUA A TARDY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2574 Decided by a vote of 6-0 to: (1) find reason to believe that BRUCE PELLER FOR CONGRESS, and PAULA ANDREA HENAO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2575 Decided by a vote of 6-0 to: (1) find reason to believe that BYRON GEORGIU FOR SENATE, and MATTHEW DICKSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

13092683467

AF#2576 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT ERNIE BELTZ JR FOR US CONGRESS, and NATHAN CHRISTOPHER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2577 Decided by a vote of 6-0 to: (1) find reason to believe that CONNECTICUT FOR PETER LUMAJ, and ANTON RUKAJ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2578 Decided by a vote of 6-0 to: (1) find reason to believe that DAN HUGHES FOR SENATE, and MICHELLE D MOONS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2579 Decided by a vote of 6-0 to: (1) find reason to believe that DAN LILJENQUIST FOR US SENATE, and MIKE MCCAULEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2580 Decided by a vote of 6-0 to: (1) find reason to believe that DR NOREN FOR US SENATE, and RICHARD PARKER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2581 Decided by a vote of 6-0 to: (1) find reason to believe that ELECT CLARK HALL, and CLATWORTHY, P.R. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

13092683468



AF#2583 Decided by a vote of 6-0 to: (1) find reason to believe that HOOSIERS SUPPORTING BUYER FOR CONGRESS, and MATTIX, STEPHANIE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2584 Decided by a vote of 6-0 to: (1) find reason to believe that JACKSON EATON FOR CONGRESS, and JILLIAN E O'MALLEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2586 Decided by a vote of 6-0 to: (1) find reason to believe that KATHLEEN HICKS FOR CONGRESS, and DR CAMILLE RODRIGUEZ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2587 Decided by a vote of 6-0 to: (1) find reason to believe that KELDA FOR CONGRESS, and LAURENE BACH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

13092683469

AF#2590 Decided by a vote of 6-0 to: (1) find reason to believe that MARK OXNER FOR CONGRESS, and AMPARO O OXNER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2592 Decided by a vote of 6-0 to: (1) find reason to believe that Q. BYRUM HURST FOR CONGRESS, and HURST, QUINCY B. III as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2593 Decided by a vote of 6-0 to: (1) find reason to believe that RICH BECKER FOR CONGRESS, and MCBRIDE, JOHN B as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2594 Decided by a vote of 6-0 to: (1) find reason to believe that RUDY MOISE FOR CONGRESS, and MOISE, MIRJAM as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2595 Decided by a vote of 6-0 to: (1) find reason to believe that SALOMON TORRES FOR CONGRESS, and JUAN E RIVERA CPA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

13092683470

AF#2597 Decided by a vote of 6-0 to: (1) find reason to believe that STEVE SALAZAR FOR CONGRESS, and ROSARIO RODRIGUEZ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2598 Decided by a vote of 6-0 to: (1) find reason to believe that SUSAN ADAMS FOR CONGRESS, and TAMARA S HULL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2600 Decided by a vote of 6-0 to: (1) find reason to believe that TERRY WHITE FOR INDIANA, and TERRY A WHITE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2601 Decided by a vote of 6-0 to: (1) find reason to believe that TEXANS FOR KY GRIFFIN, and RHONDA GRIFFIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2603 Decided by a vote of 6-0 to: (1) find reason to believe that WENONA FOR ARIZONA, and BALDENEGRO, SAL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount

13092683471

indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

December 4, 2012  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

13092683472



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 5, 2012

Michelle D. Moons, in official capacity as Treasurer  
Dan Hughes for Senate  
1800 Thibodo Rd., Ste 300  
Vista, CA 92081

C00506741  
AF#: 2578

Dear Ms. Moons:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through September 30, 2012, shall be filed no later than October 15, 2012. 2 U.S.C. 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On December 4, 2012, the FEC found that there is reason to believe ("RTB") that Dan Hughes for Senate and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before October 15, 2012. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$6,050. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$6,050 is due within forty (40) days of the finding, or by January 13, 2013, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$164,290  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street,

13092683473

NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or January 13, 2013. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Dan Hughes for Senate and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

13092683474

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Caroline C. Hunter  
Chair

13092683475

---

**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$6,050 for the 2012 October Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by January 13, 2013. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

---

FOR: Dan Hughes for Senate

FEC ID#: C00506741

AF#: 2578

PAYMENT DUE DATE: January 13, 2013

PAYMENT AMOUNT DUE: \$6,050

13092683476





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2013 FEB 22 PM 3: 53

February 22, 2013

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: *W*odi Winship/Sari Pickeral *SP*  
Compliance Branch

SUBJECT: Administrative Fine Program –Final Determination Recommendation for the  
2012 October Quarterly Report (Non-Election Sensitive)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2012 October Quarterly Report (Non-Election Sensitive). The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, seventeen (17) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. Of these, thirteen (13) committees will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the RTB finding, and four (4) committees will be assessed a civil money penalty of \$0 at FD. An overview of each of these cases has been provided below.

13092683477

13092683478

Bruce Peller for Congress (AF 2574) filed the 2012 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$4,000 (previously estimated to be \$35,477), thus the fine would be lowered from \$990 to \$250.

Byron Georgiou for Senate (AF 2575) filed the 2012 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$78 (previously estimated to be \$581,709), thus the fine would be lowered from \$11,000 to \$78.

Committee to Elect Ernie Beltz, Jr. for US Congress (AF 2576) filed the 2012 Termination Report with coverage dates including the October Quarterly period after the RTB finding and disclosed no activity (previously estimated to be \$50,586), which would result in no civil money penalty (fine previously assessed to be \$2,970).

Connecticut for Peter Lumaj (AF 2577) filed the 2012 Termination Report with coverage dates including the October Quarterly period after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$586 (previously estimated to be \$131,967), thus the fine would be lowered from \$4,950 to \$250.

Dan Hughes for Senate (AF 2578) filed the 2012 Termination Report with coverage dates including the October Quarterly period after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$354 (previously estimated to be \$164,290), thus the fine would be lowered from \$6,050 to \$250.

Jackson Eaton for Congress (AF 2584) filed the 2012 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and

disbursements of \$2,879 (previously estimated to be \$122,641), thus the fine would be lowered from \$4,950 to \$250.

Kathleen Hicks for Congress (AF 2586) filed the 2012 October Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$45,437), which would result in no civil money penalty (fine previously assessed to be \$990).

Q. Byrum Hurst for Congress (AF 2592) filed the 2012 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$3,994 (previously estimated to be \$155,566), thus the fine would be lowered from \$6,050 to \$250.

Rudy Moise for Congress (AF 2594) filed the 2012 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$72,975 (previously estimated to be \$123,521), thus the fine would be lowered from \$4,950 to \$2,970.

Steve Salazar for Congress (AF 2597) disclosed no activity after the RTB finding (previously estimated to be \$110,712), which would result in no civil money penalty (fine previously assessed to be \$6,187).

Terry White for Indiana (AF 2600) filed the 2012 Termination Report with coverage dates including the October Quarterly period after the RTB finding and disclosed no activity (previously estimated to be \$62,145), which would result in no civil money penalty (fine previously assessed to be \$2,970).

13092683479

In addition, two (2) committees detailed below designated a new Treasurer after the RTB finding:

- Terry White for Indiana (AF 2600) filed an Amended Statement of Organization designating Philip Schnautz as Treasurer (see second list).

**RAD Recommendation**

- (1) Make final determination that the political committees and their treasurers on the attached reports violated 2 U.S.C. § 434(a) and assess the final civil money penalties so indicated.
- (2) Make final determination that the political committees and their treasurers listed on the attached reports with no activity, violated 2 U.S.C. § 434(a) and will not be assessed a civil money penalty.
- (3) Send the appropriate letters.

13092683480

13092683481

2/22/2013 1:51 PM

Federal Election Commission  
FD Circulation Report Fine Paid  
2012 OCTOBER QUARTERLY Not Election Sensitive 10/15/2012 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2573	BENNETT FOR SENATE COMMITTEE	BENNETT, RICHARD A	C00516468	JOSHUA A. TARDY	10/31/2012	16	\$6,000	0	12/04/2012	\$135	\$135	01/15/2013	\$135
2581	ELECT CLARK HALL	HALL, CLARK MADISON	C00504845	P.R. CLATWORTHY	10/22/2012	7	\$11,803	0	12/04/2012	\$145	\$145	12/28/2012	\$145
2583	HOOSIERS SUPPORTING BUYER FOR CONGRESS	BUYER, CONGRESSMAN STEVE	C00256471	STEPHANIE MATTIK	11/19/2012	Not Filed	\$15,838	0	12/04/2012	\$550	\$550	01/09/2013	\$550
2580	MARK OXNER FOR CONGRESS	OXNER, MARK ANTHONY	C00503358	AMPARO O. OXNER	12/18/2012	Not Filed	\$28,466	0	12/04/2012	\$980	\$980	01/14/2013	\$980
2585	SALOMON TORRES FOR CONGRESS	TORRES, SALOMON	C00509620	JUAN E. RIVERA, CPA	11/01/2012	17	\$4,087	0	12/04/2012	\$110	\$110	01/16/2013	\$110
2801	TEXANS FOR KY GRIFFIN	GRIFFIN, KY DOUGLAS	C00509598	RHONDA GRIFFIN	11/05/2012	21	\$13,131	0	12/04/2012	\$215	\$215	01/09/2013	\$215

13092683482

2/22/2013 1:53 PM

Federal Election Commission  
FD Circulation Report Fine Not Paid  
2012 OCTOBER QUARTERLY Not Election Sensitive 10/15/2012 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
2574	BRUCE PELLER FOR CONGRESS	PELLER, BRUCE G	C00519886	PAULA ANDREA HENAO	01/24/2013	Not Filed	\$4,000	0	12/04/2012	\$990	80	\$250
2575	BYRON GEORGIOU FOR SENATE	GEORGIOU, BYRON	C00493742	MATTHEW DICKSON	12/17/2012	Not Filed	\$78	0	12/04/2012	\$11,000	80	\$78
2576	COMMITTEE TO ELECT ERNIE BELTZ JR FOR US CONGRESS	BELTZ, ERNIE ALAN JR	C00508705	NATHAN CHRISTOPHER	02/05/2013	Not Filed	\$0	0	12/04/2012	\$2,970	80	NONE
2577	CONNECTICUT FOR PETER LUMAJ	LUMAJ, PIERIN (PETER)	C00504266	ANTON RUKAJ	12/28/2012	Not Filed	\$586	0	12/04/2012	\$4,950	80	\$250
2578	DAN HUGHES FOR SENATE	HUGHES, DANIEL J	C00506741	MICHELLE D. MOONS	11/21/2012	Not Filed	\$354	0	12/04/2012	\$8,050	80	\$250
2580	DR NOREN FOR US SENATE	NOREN, SCOTT ANDREW	C00458422	RICHARD PARKER	11/09/2012	24	\$18,078	0	12/04/2012	\$230	80	\$230
2584	JACKSON EATON FOR CONGRESS	EATON, J JACKSON	C00507004	JILLIAN E. O'MALLEY	01/18/2013	Not Filed	\$2,879	0	12/04/2012	\$4,950	80	\$250
2586	KATHLEEN HICKS FOR CONGRESS	HICKS, ERIN KATHLEEN	C00507590	DR. CAMELLE RODRIGUEZ	01/03/2013	Not Filed	\$0	0	12/04/2012	\$980	80	NONE
2587	KELDA FOR CONGRESS	ROYS, KELDA HELEN	C00501965	LAURENE BACH	12/28/2012	Not Filed	\$153,223	0	12/04/2012	\$8,050	80	\$8,050
2592	Q. BYRUM HURST FOR CONGRESS	HURST, Q. BYRUM JR	C00517102	QUINCY B. HURST, III	01/14/2013	Not Filed	\$3,994	0	12/04/2012	\$8,050	80	\$250
2593	RICH BECKER FOR CONGRESS	BECKER, RICHARD H	C00498046	JOHN B. MCBRIDE	01/31/2013	Not Filed	\$51,869	0	12/04/2012	\$2,970	80	\$2,970
2594	RUDY MOISE FOR CONGRESS	MOISE, RUDOLPH	C00468652	MIRJAM MOISE	01/09/2013	Not Filed	\$72,975	0	12/04/2012	\$4,950	80	\$2,970
2597	STEVE SALAZAR FOR CONGRESS	SALAZAR, STEVE	C00518027	ROSARIO RODRIGUEZ		Not Filed	\$0	1	12/04/2012	\$8,187	80	NONE
2600	TERRY WHITE FOR INDIANA	WHITE, TERRY A	C00494773	PHILIP SCHNAUTZ	01/11/2013	Not Filed	\$0	0	12/04/2012	\$2,970	80	NONE
2603	WENONA FOR ARIZONA	BALDENEGRO, WENONA PAC RENAISSANCE	C00497404	SAL BALDENEGRO	11/01/2012	17	\$28,643	0	12/04/2012	\$540	80	\$540

13092683483

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Administrative Fine Program - Final	)	
Determination Recommendation for the	)	
2012 October Quarterly Report (Non-	)	
Election Sensitive):	)	
BENNETT FOR SENATE COMMITTEE,	)	AF# 2573
and JOSHUA A. TARDY as treasurer;	)	
BRUCE PELLER FOR CONGRESS, and	)	AF# 2574
PAULA ANDREA HENAO as treasurer;	)	
BYRON GEORGIU FOR SENATE, and	)	AF# 2575
MATTHEW DICKSON as treasurer;	)	
COMMITTEE TO ELECT ERNIE BELTZ	)	AF# 2576
JR FOR US CONGRESS, and NATHAN	)	
CHRISTOPHER as treasurer;	)	
CONNECTICUT FOR PETER LUMAJ,	)	AF# 2577
and ANTON RUKAJ as treasurer;	)	
DAN HUGHES FOR SENATE, and	)	AF# 2578
MICHELLE D MOONS as treasurer;	)	
DR NOREN FOR US SENATE, and	)	AF# 2580
RICHARD PARKER as treasurer;	)	
ELECT CLARK HALL, and	)	AF# 2581
CLATWORTHY, P.R. as treasurer;	)	
HOOSIERS SUPPORTING BUYER FOR	)	AF# 2583
CONGRESS, and MATTIX, STEPHANIE	)	
as treasurer;	)	
JACKSON EATON FOR CONGRESS, and	)	AF# 2584
JILLIAN E O'MALLEY as treasurer;	)	
KATHLEEN HICKS FOR CONGRESS,	)	AF# 2586
and DR CAMILLE RODRIGUEZ as	)	
treasurer;	)	

Federal Election Commission  
Certification for Administrative Fines  
February 26, 2013

Page 2

KELDA FOR CONGRESS, and ) AF# 2587  
LAURENE BACH as treasurer; )

MARK OXNER FOR CONGRESS, and ) AF# 2590  
AMPARO O OXNER as treasurer; )

Q. BYRUM HURST FOR CONGRESS, ) AF# 2592  
and HURST, QUINCY B. III as treasurer; )  
RICH BECKER FOR CONGRESS, and ) AF# 2593  
MCBRIDE, JOHN B as treasurer; )  
RUDY MOISE FOR CONGRESS, and ) AF# 2594  
MOISE, MIRJAM as treasurer; )  
SALOMON TORRES FOR CONGRESS, ) AF# 2595  
and JUAN E RIVERA CPA as treasurer; )

STEVE SALAZAR FOR CONGRESS, and ) AF# 2597  
ROSARIO RODRIGUEZ as treasurer; )

TERRY WHITE FOR INDIANA, and ) AF# 2600  
PHILIP SCHNAUTZ as treasurer; )  
TEXANS FOR KY GRIFFIN, and ) AF# 2601  
RHONDA GRIFFIN as treasurer; )

WENONA FOR ARIZONA, and ) AF# 2603  
BALDENEGRO, SAL as treasurer; )

13092683484



CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on February 26, 2013 the Commission took the following actions on the Administrative Fine Program - Final Determination Recommendation for the 2012 October Quarterly Report (Non-Election Sensitive) as recommended in the Reports Analysis Division's Memorandum dated February 22, 2013, on the following committees:

AF#2573 Decided by a vote of 5-0 to: (1) make a final determination that BENNETT FOR SENATE COMMITTEE, and JOSHUA A. TARDY as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2574 Decided by a vote of 5-0 to: (1) make a final determination that BRUCE PELLER FOR CONGRESS, and PAULA ANDREA HENAO as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2575 Decided by a vote of 5-0 to: (1) make a final determination that BYRON GEORGIOU FOR SENATE, and MATTHEW DICKSON as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2576 Decided by a vote of 5-0 to: (1) make a final determination that COMMITTEE TO ELECT ERNIE BELTZ JR FOR US CONGRESS, and NATHAN CHRISTOPHER as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

13092683485

AF#2577 Decided by a vote of 5-0 to: (1) make a final determination that CONNECTICUT FOR PETER LUMAJ, and ANTON RUKAJ as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2578 Decided by a vote of 5-0 to: (1) make a final determination that DAN HUGHES FOR SENATE, and MICHELLE D MOONS as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2580 Decided by a vote of 5-0 to: (1) make a final determination that DR NOREN FOR US SENATE, and RICHARD PARKER as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2581 Decided by a vote of 5-0 to: (1) make a final determination that ELECT CLARK HALL, and CLATWORTHY, P.R. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2583 Decided by a vote of 5-0 to: (1) make a final determination that HOOSIERS SUPPORTING BUYER FOR CONGRESS, and MATTIX, STEPHANIE as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2584 Decided by a vote of 5-0 to: (1) make a final determination that JACKSON EATON FOR CONGRESS, and JILLIAN E O'MALLEY as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

13092683486

AF#2586 Decided by a vote of 5-0 to: (1) make a final determination that KATHLEEN HICKS FOR CONGRESS, and DR CAMILLE RODRIGUEZ as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2587 Decided by a vote of 5-0 to: (1) make a final determination that KELDA FOR CONGRESS, and LAURENE BACH as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2590 Decided by a vote of 5-0 to: (1) make a final determination that MARK OXNER FOR CONGRESS, and AMPARO O OXNER as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2592 Decided by a vote of 5-0 to: (1) make a final determination that Q. BYRUM HURST FOR CONGRESS, and HURST, QUINCY B. III as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

13092683487

AF#2593 Decided by a vote of 5-0 to: (1) make a final determination that RICH BECKER FOR CONGRESS, and MCBRIDE, JOHN B as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2594 Decided by a vote of 5-0 to: (1) make a final determination that RUDY MOISE FOR CONGRESS, and MOISE, MIRJAM as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2595 Decided by a vote of 5-0 to: (1) make a final determination that SALOMON TORRES FOR CONGRESS, and JUAN E RIVERA CPA as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2597 Decided by a vote of 5-0 to: (1) make a final determination that STEVE SALAZAR FOR CONGRESS, and ROSARIO RODRIGUEZ as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2600 Decided by a vote of 5-0 to: (1) make a final determination that TERRY WHITE FOR INDIANA, and PHILIP SCHNAUTZ as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2601 Decided by a vote of 5-0 to: (1) make a final determination that TEXANS FOR KY GRIFFIN, and RHONDA GRIFFIN as treasurer , violated 2 U.S.C. 434(a) and

13092683488

assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2603 Decided by a vote of 5-0 to: (1) make a final determination that WENONA FOR ARIZONA, and BALDENEGRO, SAL as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

February 27, 2013  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

13092683489



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 27, 2013

Michelle D. Moons, in official capacity as Treasurer  
Dan Hughes for Senate  
1800 Thibodo Rd., Ste. 300  
Vista, CA 92081

C00506741  
AF#: 2578

Dear Ms. Moons:

On December 4, 2012, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Dan Hughes for Senate and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) for filing late or failing to file the 2012 October Quarterly Report. By letter dated December 5, 2012, the Commission notified you of the RTB finding and the preliminary civil money penalty calculated at the RTB stage to be \$6,050 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. Since that time, the amount of the civil money penalty has been changed to reflect the actual level of activity of the 2012 October Quarterly Report. The FEC made a final determination on February 26, 2013 that Dan Hughes for Senate and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty in the amount of \$250 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$354

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purposes of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty**

If you choose to appeal the final determination, you should submit a written petition, within thirty (30) days of receipt of this letter, to the district court of the United States for the

13092683490

district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within thirty (30) days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within five (5) days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

## **3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within thirty (30) days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 CFR § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Sari Pickerall at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

13092683491

On behalf of the Commission,

*Ellen L. Weintraub*

Ellen L. Weintraub  
Chair

13092683492



-----  
**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$250 for the 2012 October Quarterly Report.

This penalty should be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
PO Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The form and payment are due within thirty (30) days of receipt of this letter.

**Payments by Personal Check**

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

-----

FOR: Dan Hughes for Senate

FEC ID#: C00506741

AF#: 2578

PAYMENT AMOUNT DUE: \$250

13092683493

FOR: Dan Hughes for Senate

FEC ID#: C00506741

AF#: 2578

PAYMENT AMOUNT DUE: \$250

FEDERAL ELECTION COMMISSION

Lockbox: GLX-979058 Ledger Date 04/01/2013

13092683494

**usbank.**

St. Louis GA Lockbox  
(314) 425-1818



Batch	Item	TID	Batch Total	Amount
1	2	Y-4006210	\$5,120.00	\$250.00



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2578

DATE SCANNED 5/15/13

SCANNER NO. 2

SCAN OPERATOR EES

13092683495